

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>JOYCE CARTA, Individually and as</b>	)	
<b>Representative of the Estate of</b>	)	
<b>WESLEY CARTA, Deceased; DIANA</b>	)	
<b>BETANCOURT; DONNA RIOS;</b>	)	
<b>DEBORAH CARTA; and WESLEY</b>	)	
<b>CARTA, JR.;</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>Civil Action No. SA06CA0098-OG</b>
	)	
<b>v.</b>	)	
	)	
<b>UNITED STATES OF AMERICA</b>	)	
<b>Defendant.</b>	)	

**SECOND AMENDED SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following  
Second Amended Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by January 5, 2007.
  
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by December 4, 2006, and each opposing party shall respond, in writing, by December 18, 2006.
  
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by January 5, 2007.
  
4. All parties asserting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file the materials required by Fed. R. Civ. P. 26(a)(2)(B) by December 15, 2006. Parties resisting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file the materials required by Fed. R. Civ. P. 26(a)(2)(B) by March 1, 2007. All designations of rebuttal experts shall be filed within 15 days of receipt of the report of the opposing expert.

5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within 30 days of receipt of the written report of the expert's proposed testimony, or within 30 days of receipt of the expert's deposition transcript, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before April 2, 2007. Counsel may by agreement continue discovery beyond the deadline, but there will not be intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no later than May 5, 2007. Dispositive motions as defined in Local Rule CV-7(h) and responses to dispositive motions shall be limited to 20 pages in length without leave of court.

8. This case is set for **nonjury trial** on **August 20, 2007 at 9:30 a.m.** The parties should consult Local Rule CV-16(e) regarding matters to be tried in advance of trial.

SIGNED AND ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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**HONORABLE ORLANDO L. GARCIA**  
**UNITED STATES DISTRICT JUDGE**